

JURISDICTION:

MINNESOTA

General Reference:

This chapter summarizes Minnesota State statutes related to speed.
Minnesota Statutes Annotated

Basis for a Speed Law Violation:

Basic Speed Rule:

- I. No person shall drive a vehicle at a speed greater than is reasonable and prudent under the conditions. §169.14, subds. 1 & 3
- II. **Driving with Due Care.** "Every driver is responsible for becoming and remaining aware of the actual and potential hazards then existing on the highway and must use due care in operating a motor vehicle." §169.14, subd. 1

Statutory Speed Limit:
See Other below.

- A speed in excess of the following limits is *prima facie* evidence that such a speed is not reasonable and prudent. §169.14, subd. 2
- 1) 65 MPH on highways during the daytime¹ §169.14, subd. 2(a)(2)
- 2) 55 MPH on highways during the nighttime² §169.14, subd. 2(a)(3)
- 3) 30 MPH in an urban district or town road in a rural residential district³ §169.14, subd. 2(a)(1)
- 4) 25 MPH on residential roadways⁴ §169.14, subd. 2(a)(5)
- 5) 10 MPH in alleys §169.14, subd. 2(a)(4)
- 6) 10 to 30 MPH in manufactured home parks⁵ §327.27, subds. 2 & 2a
- 7) 10 MPH in recreational camping areas §327.27, subd. 2

Posted (Maximum) Speed Limit:

- I. Based on engineering and traffic investigations, the State Commissioner of Transportation may increase or decrease the above speed limits. Any speed in excess of these posted limits is *prima facie* evidence that the speed was not reasonable or prudent. §169.14, subds. 4 & 5 Note: Minnesota law does not specifically state whether different highway speed limits may be established either for different types of vehicles, for various weather conditions or for different times of the day.
- II. If the commissioner establishes a speed limit of >30 MPH for a highway within an urban district, the local government may reduce such limit for quarter-mile segments to 30 MPH. §169.14, subds. 5b
- III. Based on engineering and traffic investigations, local governments may establish speed limits in school zones.⁶ The speed limit in such

Basis for a Speed Law Violation: (continued)

Posted (Maximum) Speed Limit: (continued)

- zone cannot be <15 MPH nor >20 MPH below the established speed limit where such speed limit is normally ≥40 MPH. §169.14, subd. 5a
- IV. Based on engineering and traffic investigations, a local government may establish a speed limit different than above for any alley. §169.14, subd. 5c

¹"Daytime" is defined as a half hour before sunrise to a half hour after sunset. §169.14, subd. 2(c)

²"Nighttime" is defined as either any other time than "daytime" or when weather conditions prevent "sufficient light to render clearly discernible persons or vehicles at a distance of 500 feet." §169.14, subd. 2(c)

³A "rural residential district" means "the territory contiguous to and including any town road within a subdivision or plat of land that is built up with dwelling houses at intervals of less than 300 feet for a distance of one-quarter mile or more." §169.14, subd. 2(c)

⁴If such a speed limit is adopted by the authority having jurisdiction over such roadway. §169.14, subd. 2(a)(5) & (b)

⁵The speed limit in a manufactured home park is 10 MPH. §327.27, subd. 2 However, via local ordinance, this limit may be increased to not >30 MPH. §327.27, subd. 2a

⁶If the school speed zone is on trunk highway, the local government must obtain the consent of State Commissioner of Tran. before such zone is established. §169.14, subd. 5a

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V. The State Commissioner of Transportation on trunk highways and local governments on streets and roads under their jurisdiction may establish temporary speed limits in work zones. §169.14, subd. 5d(a) The minimum speed limit in these zones is 20 MPH. However, the speed in such zone shall neither be <15 MPH below the normal speed limit nor >40 MPH. §169.14, subd. 5d(b)

VI. Based on engineering and traffic investigations, a local governments may establish speed limits within a school zones. These limits shall be in effect when children are present at, going to or leaving schools during opening or closing hours or during school recess periods. Such speed limits shall neither be <15 MPH nor <20 MPH below the established speed limits. §169.14, subd 5a (¶1)

VII. Based on engineering and traffic investigations, the governmental authority over a park may establish speed limits therein.⁷ §169.14, subd. 5e The speed limit cannot be <20 MPH. In addition, existing speed limits cannot be reduced by >15 MPH. §169.14, subd. 5e

VIII. Based on investigations, the State Commissioner of Transportation may establish a safe maximum speed for bridges or elevated structures. §169.16

IX. The Regents of the University of Minnesota have the authority to adopt traffic rules and regulations for roads, streets and highways situated on property owned, leased or occupied by the university. This could include the establishment of speed limits. §169.965, subd. 1

Minimum Speed Limit:

I. A person shall not operate a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic. §169.15

II. A person, driving at less than the normal speed of traffic, shall drive in the right-hand lane then available for traffic or as close as practicable to the right-hand curb or edge of the roadway. §169.18, subd. 10

Posted (Minimum) Speed Limit:

Based on engineering and traffic investigations, the State Commissioner of Transportation may establish minimum speed limits on any part of a trunk highway. §169.14, subd. 8

Other:

I. A person is prohibited from operating a vehicle, which is pulling another with chains and tow bars, >35 MPH. §168.055

II. A person shall not tow a farm trailer, having gross vehicle weight >6,000 lbs., >25 MPH. §169.145(2)

Adjudication of Speed Law Violations:

Civil/Criminal Adjudication of Violation:

I. Except as Noted, Speed Law Violations are Petty Misdemeanors. §169.89, subd. 1

II. A 3rd or Subsequent Speed Law Violation (Within 12 months) is a Misdemeanor. §169.89, subd. 1

Other:

I. It is a Misdemeanor for a person to operate a vehicle, which is pulling another with chains and tow bars, >35 MPH. §168.056

II. It is a Misdemeanor to violate the established speed limits in manufactured home parks or recreational camping areas. §§144.99, subds.

⁷If the park is on trunk highway, the local government must obtain the consent of State Commissioner of Transportation before such zone is established. §169.14, subd. 5e

1 & 11 and 327.27, subds. 2 & 2a

Sanctions Following an Adjudication of a Speed Law Violation:

Criminal Sanctions:

Imprisonment:

Term (Day, Month, Years,
Etc.):Petty Misdemeanor Offense-None §169.89, subd. 2Misdemeanor Offense-Not more than **90 days** §609.03(3)

Mandatory Minimum Term:

None

Fine:

Amount (\$ Range):

Petty Misdemeanor Offense-Not more than **\$200** §169.89, subd. 2Misdemeanor Offense-Not more than **\$700** §609.03(3)

Mandatory Min. Fine (\$):

Petty Misdemeanor Offense-None⁸Misdemeanor Offense-Not more than **\$210**⁸ The mandatory fine may be reduced to \$50 based on undue hardship. §609.101, subds. 4 & 5

Other Penalties:

Traffic School:

In addition to or in lieu of other sanctions, the court may require a person to attend a driver improvement clinic. §169.89, subd. 5

Other:

Licensing Action:

Type of Licensing Action

(Susp/Rev):

Suspension⁹ §§171.16, subds. 1 & 2 and 171.18, subd. 1(2) & (4) 3 or subsequent offense (within 12 months)-**Revocation**¹⁰ §171.17, subd. 1(6)Sanctions Following an Adjudication of a Speed Law Violation:
(continued)

⁸For a misdemeanor offense, there is a mandatory fine based either on 30% of the maximum statutory fine or on 30% the maximum fine for this offense in the uniform fine schedule where the maximum fine in this schedule is lower than the statutory maximum. This schedule is established by the conference of chief judges by January 1 of each year. This schedule is not reported in this publication. §609.101, subd. 4(2) Note: The law does not appear to provide for a mandatory minimum fine for petty misdemeanor offenses.

⁹I. The court, at its discretion, may recommend that the licensing agency suspend an offender's license. Upon such recommendation, the licensing agency suspends the person's license without a hearing. §171.16, subd. 2. II. The licensing agency on its own initiative, can suspend an offender's license if (1) the violation contributed to an accident that result in death, personal injury or property damage or (2) the offender is an habitual violator of the traffic laws. §171.18, subd. 1(2) & (4)

¹⁰The law provides for license revocation for the commission of 3 or violations of Chapter 169 (e.g., speeding, reckless driving or careless driving violations) within a 12 month period. §171.17, subd. 1(6)

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Term of License Withdrawal
(Days, Months, Years, etc.):

Suspension. The law providing for court recommend suspensions does not state either minimum or maximum suspension periods. §171.16, subds. 1 & 2 However, statutory provisions providing for such action via independent licensing agency action provide that a person's license is not to be suspended for more than **1 year**. §171.18, subd. 3(d)

Revocation. Note: The law does not provide for a maximum revocation period.

Mandatory Minimum Term of
Withdrawal:

None Note: In circumstances where an offender's license has been revoked, they may obtain limited driving privileges for employment, educational or medical needs and for other purposes connected with their family's well being. §171.30, subd. 1

Miscellaneous Sanctions
Not Included Elsewhere:

I. **Construction Zone.** A person, who violates the "work zone speed limit," is assessed an additional surcharge which is equal to the fine but not <\$25. §169.14, subd. 5d(d)

II. **School Zone.** A person, who violates the "work zone speed limit," is assessed an additional surcharge which is equal to the fine but not <\$25. §169.14, subd. 5a (¶4)

III. An assessment of 20% of the fine is imposed. However, if the court does not impose a fine sanction, it must, nevertheless, impose an assessment of ≥\$25 but ≤\$50. §609.101, subd. 1(a) and (b)(1) & (2)

IV. An assessment of 15% of the fine is imposed for the purpose of funding the Police Officers Training Account. However, if the court does not impose a fine sanction, it must, nevertheless, impose an assessment ≥\$5 but ≤\$10 for a petty misdemeanor or ≥\$25 but ≤\$50 for either a misdemeanor, gross misdemeanor or felony. §626.861, subd. 1

Other Criminal Actions Related to Speeding:

Reckless or Careless Driving¹¹:

Sanction:

Criminal:

Imprisonment (Term):

Mandatory Minimum Term
of Imprisonment:

Fine (\$ Range):

Mandatory Minimum Fine:

Misdemeanor §169.13, subds. 1 & 2

See **Driving with Due Care** under the Basic Speed Rule.

Not more than **90 days** §609.03(3)

None

Not more than **\$700** §609.03(3)

\$210⁸ The mandatory fine may be reduced to \$50 based on undue hardship. §609.101, subds. 4 & 5

Other Criminal Actions Related to Speeding: (continued)

Reckless or Careless Driving: (continued)

¹¹**Reckless Driving.** "Reckless driving" is defined as operating a motor vehicle "as to indicate either a wilful or a wanton disregard for the safety of persons or property." §169.12, sub. 1 **Careless Driving.** "Careless driving" is defined as operating a motor vehicle "carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any property or any person, including the driver or passengers of the vehicle." §169.13, subd. 2 Both offenses are misdemeanors. §169.13, subds. 1 & 2

Administrative Licensing Actions:

Type of Licensing Action

(Susp/Rev):

Suspension⁹ §§171.16, subds. 1 & 2 and 171.18, subd. 1(2) & (4) 3 or subsequent offense (within 12 months)-**Revocation**¹⁰ §171.17, subd. 1(6)

Length of Term of License

Withdrawal Action:

Suspension. The law providing for court recommend suspensions does not state either minimum or maximum suspension periods. §171.16, subds. 1 & 2 However, statutory provisions providing for such action via independent licensing agency action provide that a person's license is not to be suspended for more than **1 year**. §171.18, subd. 3(d)

Revocation. Note: The law does not provide for a maximum revocation period.

Mandatory Term of License

Withdrawal Action:

None Note: In circumstances where an offender's license has been revoked, they may obtain limited driving privileges for employment, educational or medical needs and for other purposes connected with their family's well being. §171.30, subd. 1

Other:

I. In addition to or in lieu of other sanctions, the court may require a person to attend a driver improvement clinic. §169.89, subd. 5
II. An assessment of 20% of the fine is imposed. However, if the court does not impose a fine sanction, it must, nevertheless, impose an assessment of ≥\$25 but ≤\$50. §609.101, subd. 1(a) and (b)(1) & (2)
III. An assessment of 15% of the fine is imposed for the purpose of funding the Police Officers Training Account. However, if the court does not impose a fine sanction, it must, nevertheless, impose an assessment ≥\$5 but ≤\$10 for a petty misdemeanor or ≥\$25 but ≤\$50 for either a misdemeanor, gross misdemeanor or felony. §626.861, subd. 1

Commercial Motor Vehicle (CMV) Operators¹²:

Grounds for Disqualification:

A person is disqualified from operating a CMV if while driving such a vehicle they either (1) commit 2 "serious traffic violations"¹³ within a 3 year period or (2) commit 3 such violations within a 3 year period. §171.165, subd. 4

Period of Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3 years)-**120 days** §171.165, subd. 4

Commercial Motor Vehicle (CVM) Operators:
(continued)

Period of Mandatory Disqualification:

2 serious violations (within 3 years)-**60 days** 3 serious violations (within 3

¹²A person who has obtained a commercial driver's license (CDL) and is qualified to operate a commercial motor vehicle. A commercial motor vehicle is defined as a vehicle designed to carry either passengers or property and either has a gross vehicle weight of ≥26,000 lbs., is a bus or is transporting hazardous materials which requires that the vehicle to be placarded in accordance with U.S. Department of Transportation regulations. §171.01, subds. 22 & 26

¹³A "serious traffic violation" includes exceeding the speed limit by 15 or more MPH or reckless or careless driving. §171.165, subd. 4

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years)-**120 days** §171.165, subd. 4